

tyco**Healthcare****Kendall**

RECEIVED
CENTRAL FAX CENTER

AUG 05 2005

Tyco Healthcare Group LPLegal - Intellectual Property
15 Hampshire Street
Mansfield, MA 02048Edward S. Jarmolowicz
Direct Dial: 508-261-8476
Dept. Fax: 508-261-6225e-mail: Edward.Jarmolowicz@TycoHealthcare.com**Telefax Transmission**

This facsimile transmission may contain confidential and/or attorney/client privileged information belonging to the sender. This information is intended only for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, or the employee or agent responsible to the intended recipient, you should return to sender immediately. You are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited.

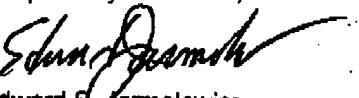
Date August 5 2005
Company U.S. PATENT & TRADEMARK OFFICE
Attention Commissioner for Patents
Mail Stop Missing Parts
Fax No. (571) 273-8300
From Edward S. Jarmolowicz
Subject Application Serial No. 10/532,392
I.A. Filing Date: 10/23/2003
Title: Automatic Valve
Conf. No. 1773
Art Unit: Unknown
No. of Pgs. 1/2

Honorable Commissioner:

Applicant herewith submits the following documents in connection with the subject application:

- Response to Notice to File Missing Requirements under 35 U.S.C. 371;
- Certificate of Transmission;
- Declaration and Power of Attorney for Patent Application;
- Copy of Notice to File Missing Requirements under 35 U.S.C. 371 dated 6/06/2005.

Respectfully submitted,


 Edward S. Jarmolowicz
 Reg. No. 47,238
 TYCO HEALTHCARE GROUP LP
 15 Hampshire Street
 Mansfield, MA 02048

RECEIVED
CENTRAL FAX CENTER

AUG 05 2005

PATENT
Atty. Docket No. S-8490 US (1)IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(s): Benedict SHIA, et al.

EXAMINER: To Be Determined

SERIAL NO.: 10/532,392

ART UNIT: Unknown

I.A. FILING DATE: October 28, 2003

TITLE: AUTOMATIC VALVE

Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Honorable Commissioner:

In response to the Notice to File Missing Requirements under 35 U.S.C. 371 dated June 6, 2005, Confirmation No. 1773, Applicant herewith encloses the executed Declaration and Power of Attorney form in compliance with 37 CFR §1.497(a) and (b). Also enclosed is a copy of the Notice to File Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office as required.

Kindly charge the declaration surcharge amount of \$130.00 to Deposit Account No. 500726 pursuant to 37 CFR §1.492 (e).

Respectfully submitted,


 Edward S. Jarmolowicz, Esq.
 Atty. Registration No. 47,238
 Attorney for Applicant
 TYCO HEALTHCARE GROUP LP
 15 Hampshire Street
 Mansfield, MA 02048
 Tel: (508) 261-8476

08/10/2005 GFREY1 00000140 500726 10532392
 01 FC:1617 130.00 DA

CERTIFICATE OF TRANSMISSION UNDER 37 CFR §1.8

The undersigned hereby certifies that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office to Facsimile No. (571) 273-8300 on the date set forth below.

By: 
 Julie D. Parker

Date: August 5, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
JUN 9 2005
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Austin, Texas 78723-1450
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/532,392	Benedict Shia	20518/59 (S-8490 US)
		INTERNATIONAL APPLICATION NO.
		PCT/US03/34129
		IA. FILING DATE PRIORITY DATE
		10/28/2003 10/28/2002

Edward Scott Jarmolowicz
TYCO HEALTHCARE GROUP
15 Hampshire Street
Mansfield, MA 02048

CONFIRMATION NO. 1773
371 FORMALITIES LETTER



OC000000016195479

Date Mailed: 06/06/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/22/2005
- Copy of the International Search Report filed on 04/22/2005
- Oath or Declaration filed on 04/22/2005
- Request for Immediate Examination filed on 04/22/2005
- U.S. Basic National Fees filed on 04/22/2005
- Priority Documents filed on 04/22/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required. Mensur

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,

Case No. 5-849015 Sub/
Action Code OK - 2 months
Base Date 10/28/05
Due Date 8/16/05
Final Date
By 1K on 10/9/05

Page 2 of 2

WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/532,392	PCT/US03/34129	20518/59 (S-8490 US)

FORM PCT/DO/EO/905 (371 Formalities Notice)